

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:)
John Frank Washlack, III) Case No. 23-20044 CMB
)
) Chapter 13
)
Debtor(s).)
_____ X

STIPULATED ORDER MODIFYING PLAN

WHEREAS, this matter is being presented to the Court regarding

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:

a motion to dismiss case or certificate of default requesting dismissal

☒ a plan modification sought by: John Frank Washlack, III

a motion to lift stay
as to creditor _____

☒ Other: The plan is being modified to provide for additional attorney fees to Rice & Associates Law Firm approved by Order of Court DN 110 without decreasing the percentage or amount to be paid to other creditors through the plan.

WHEREAS, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

IT IS HEREBY ORDERED that the

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

Chapter 13 Plan dated _____

☒ Amended Chapter 13 Plan dated July 24, 2023

is modified as follows:

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

☒ Debtor(s) Plan payments shall be changed from \$ 2,145 to

\$ 2,250 per Month, effective May 2024; and/or the Plan term shall be changed from months to months.

- ☐ In the event that Debtor(s) fail(s) to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtor(s) and Debtor(s)' Counsel a notice of default advising the Debtor(s) that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
- ☐ Debtor(s) shall file and serve _____ on or before _____.
- ☐ If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- ☐ If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as _____ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.
- ☒ Other: The modification provides funds to Rice & Associates Law Firm in the amount of \$7,528.39 above the no-look fees of \$5,000.00 for the total amount of \$12,528.39 approved by Order of Court DN 110. The limit regarding the additional sum limited to \$4,000 above the no-look fee increases the available additional attorney fees to \$7,528.39 above the no-look fee. The plan shall continue to provide for the distribution to general unsecured creditors at 100%.

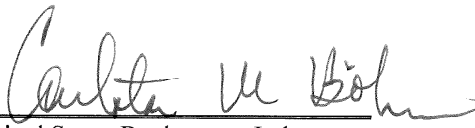
IT IS FURTHER ORDERED that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a *de novo* hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

IT IS FURTHER ORDERED that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect. The filing party represents to the Court that all affected parties have been notified.

[Remainder of Page Intentionally Left Blank]

SO ORDERED, this 16th day of April, 2024

Dated: April 16, 2024


United States Bankruptcy Judge

Stipulated by:

/s/ Scott R. Lowden
Scott R. Lowden - Counsel to Debtor
PA ID 72116
100 Heathmore Avenue
Pittsburgh, PA 15227
(412) 292-4254
lowdenscott@gmail.com

Stipulated by:

/s/ James Warmbrodt
James Warmbrodt, Esq.
Counsel to Chapter 13 Trustee
600 Grant Street
Suite 3250 US Steel Tower
Pittsburgh, PA 15219

FILED
4/16/24 9:49 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

cc: All Parties in Interest to be served by Clerk

In re:
John Frank Washlack, III
Debtor

Case No. 23-20044-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: auto

Page 1 of 2

Date Rcvd: Apr 16, 2024

Form ID: pdf900

Total Noticed: 18

The following symbols are used throughout this certificate:

Symbol	Definition
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+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 18, 2024:

Recip ID	Recipient Name and Address
db	+ John Frank Washlack, III, 533 Fourth Street, P.O. Box 304, Marianna, PA 15345-0304
15560525	+ Aspen National Coll / Vacation Village, Attn: Bankruptcy, Po Box 10689, Brooksville, FL 34603-0689
15560528	Charlene Washlack, 111 Greenwood Mobile Home Park, Finleyville, PA 15332
15560529	+ PA Dept of Revenue, 11 Parkway Ctr, #175, Pittsburgh, PA 15220-3623
15561045	U.S. Department of Housing and Urban Development, The Wanamaker Building, 11th Floor 100 Penn Square East, Philadelphia, PA 19107
15621216	Westgate Financial Services, P.O. Box 997592, Sacramento, CA. 95899-7592

TOTAL: 6

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: enotifications@santanderconsumerusa.com	Apr 16 2024 23:52:00	Santander Consumer USA Inc., PO Box 961245, Fort Worth, TX 76161-0244
15560526	+ Email/Text: bankruptcy@bbandt.com	Apr 16 2024 23:51:00	BB&T/Truist, Attn: Bankruptcy, Po Box 1847, Wilson, NC 27894-1847
15560527	+ Email/Text: caineweiner@ebn.phinsolutions.com	Apr 16 2024 23:51:00	Caine & Weiner / Progressive Insurance, Attn: Bankruptcy, 5805 Sepulveda Blvd, Sherman Oaks, CA 91411-2546
15606174	Email/Text: sbse.cio.bnc.mail@irs.gov	Apr 16 2024 23:51:00	Department of Treasury, Internal Revenue Service, Centralized Insolvency Operation, P.O. Box 7346, Philadelphia, PA 19101-7346
15582774	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Apr 17 2024 00:00:23	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15560949	Email/Text: RVSVCBICNOTICE1@state.pa.us	Apr 16 2024 23:52:00	Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg PA 17128-0946
15560530	+ Email/PDF: ebnotices@pnmac.com	Apr 17 2024 00:13:32	PennyMac Loan Services, LLC, Attn: Correspondence Unit, Po Box 514387, Los Angeles, CA 90051-4387
15579152	+ Email/PDF: ebnotices@pnmac.com	Apr 17 2024 00:13:40	PennyMac Loan Services, LLC., P.O. Box 2410, Moorpark, CA 93020-2410
15560531	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Apr 16 2024 23:59:44	Portfolio Recovery / Bank of America, Attn: Bankruptcy, 120 Corporate Boulevard, Norfolk, VA 23502-4952
15560532	+ Email/Text: enotifications@santanderconsumerusa.com	Apr 16 2024 23:52:00	Santander Consumer USA, Attn: Bankruptcy, Po Box 961245, Fort Worth, TX 76161-0244
15562590	+ Email/Text: enotifications@santanderconsumerusa.com	Apr 16 2024 23:52:00	Santander Consumer USA Inc., P.O. Box 560284, Dallas, TX 75356-0284
15582434	+ Email/Text: bankruptcy@bbandt.com	Apr 16 2024 23:51:00	Truist Bank, Attn: Support Services, P.O. Box 85092 Mail Code 306-40-06-10, Richmond, VA 23286-0001

District/off: 0315-2

User: auto

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Date Rcvd: Apr 16, 2024

Form ID: pdf900

Total Noticed: 18

TOTAL: 12

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		PENNYMAC LOAN SERVICES, LLC

TOTAL: 1 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 18, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 16, 2024 at the address(es) listed below:

Name	Email Address
David A. Rice	on behalf of Debtor John Frank Washlack III ricelaw1@verizon.net, lowdenscott@gmail.com
Denise Carlon	on behalf of Creditor PENNYMAC LOAN SERVICES LLC dcarlon@kmlawgroup.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
Scott R. Lowden	on behalf of Debtor John Frank Washlack III lowdenscott@gmail.com
William E. Craig	on behalf of Creditor Santander Consumer USA Inc. wcraig@egalawfirm.com mhazlett@mortoncraig.com;mortoncraigecf@gmail.com

TOTAL: 6